IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.16 OF 2005
IN
WRIT PETITION NO.3403 OF 1991

Smt.Sunderbai S. Raikar & Ors. .. Petitioners.
V/s.
Hongkong & Sanghai Banking
Corporation Limited .. Respondents.
And
Mr.Vishwanath S. Raikar & Ors. .. Applicants.

Mr.D.P. Mehta for the petitioners.

Mr.Vinod Tayade i/b. Mr.Piyush Shah for the respondents.

CORAM : R.M. LODHA &
J.P. DEVADHAR, JJ.

DATED : 1ST JULY, 2005.

P.C. :

Heard.

2. The learned counsel for the applicants could not show that the right to sue survives on the applicants. The suo motu writ petition was registered at the instance of Smt.Sundarbai S. Raikar. Her husband Shivram K. Raikar retired as a clerk in the year 1962. His pension was fixed at Rs.350/- per month. The petitioner claimed that the liberalised pension scheme introduced to the award staff must be made applicable to her. The widow is dead. Nothing is shown by the advocate for the applicants that on the death of the widow of the

pensioner, the major sons, married daughters and sons in law are entitled to any pension.

3. In our considered view right to sue does not survive to the applicants. The chamber summons is, accordingly, rejected.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)